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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
NOE PRIETO,  
  
Defendants.

CASE NO. 5:18-MJ-00010-JLT

STIPULATION FOR EXTENSION OF TIME FOR  
PRELIMINARY HEARING PURSUANT TO RULE  
5.1(d) AND EXCLUSION OF TIME; ORDER  
THEREON

DATE: September 3, 2019  
TIME: 2:00 p.m.  
COURT: Hon. Erica P. Grosjean

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney LAUREL J. MONTOYA, and defendant NOE PRIETO, both individually and by and through his counsel of record, DAVID TORRES, hereby stipulate as follows:

1. The Complaint in this case was filed on January 12, 2018, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on February 15, 2019. The court set a preliminary hearing date of September 3, 2019.

2. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to November 22, 2019, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's continuing investigation of the case. Additionally, the parties are exploring a resolution of this matter and need additional time.

3. The parties further agree that the interests of justice served by granting this continuance

1 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2 4. The parties agree that good cause exists for the extension of time, and that the extension  
3 of time would not adversely affect the public interest in the prompt disposition of criminal cases.

4 Therefore, the parties request that the time between September 3, 2019, and November 22, 2019, be  
5 excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

6 IT IS SO STIPULATED.

7  
8 Dated: August 30, 2019

McGREGOR W. SCOTT  
United States Attorney

9  
10 /s/ LAUREL J. MONTOYA  
LAUREL J. MONTOYA  
Assistant United States Attorney

11  
12 Dated: August 30, 2019

13 /s/ DAVID TORRES  
DAVID TORRES  
Counsel for Defendant  
Noe Prieto

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17 IT IS SO ORDERED.

18 Dated: August 30, 2019

19 /s/ Eric P. Grijalva  
UNITED STATES MAGISTRATE JUDGE